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APPLICATION N	O. FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,831	10/788,831 02/28/2004		Kyung-Ju Choi	ZM921/04004 7345	
27868	7590	08/31/2006		EXAMINER	
	SALAZAR	=	DEL SOLE, JOSEPH S		
	TON & REU WN & WIL	LIAMSON TOWER	ART UNIT	PAPER NUMBER	
LOUISVILLE, KY 40202				1722	

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/788,831	CHOI, KYUNG-JU		
Examiner	Art Unit		
Joseph S. Del Sole	1722		

Before the Filing of an Appeal Brief		A 4 11-24						
Before the Filling of all Appeal Brief	Examiner	Art Unit						
	Joseph S. Del Sole	1722						
The MAILING DATE of this communication appe	ears on the cover sheet with the c	correspondence add	ress					
THE REPLY FILED <u>24 August 2006</u> FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	ALLOWANCE.						
 The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods: 	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in o ce with 37 CFR 1.114. The reply mo	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)					
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.					
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL								
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th						
<u>AMENDMENTS</u>								
 The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co They raise the issue of new matter (see NOTE below) 	nsideration and/or search (see NO ow);	TE below);						
(c) They are not deemed to place the application in be appeal; and/or			the issues for					
(d) ☐ They present additional claims without canceling a		ected claims.						
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1	* **							
4. The amendments are not in compliance with 37 CFR 1.1		empliant Amendment	(PTOL-324).					
5. Applicant's reply has overcome the following rejection(s)	· '							
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 	•	•	-					
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed:		ll be entered and an e	explanation of					
Claim(s) allowed: Claim(s) objected to:								
Claim(s) rejected: Claim(s) withdrawn from consideration:								
AFFIDAVIT OR OTHER EVIDENCE								
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 								
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appear y and was not earlier presented. S	al and/or appellant fai ee 37 CFR 41.33(d)(ls to provide a 1).					
10. The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	in of the status of the claims after e	ntry is below or attacr	ned.					
 The request for reconsideration has been considered bu <u>See Continuation Sheet.</u> 	ut does NOT place the application in	n condition for allowar	nce because:					
12. ☐ Note the attached Information Disclosure Statement(s).13. ☐ Other:	(PTO/SB/08 or PTO-1449) Paper N	lo(s)						

Continuation of 3. NOTE: New issues do not overcome all rejections and would require further consideration..

Continuation of 11. does NOT place the application in condition for allowance because: First off, the Examiner would like to clarify the record. There is no longer a rejection over Barboza et al (5,681,469).

Secondly, the Examiner believes that there is a typo in the proposed amendment of claim 30. At line 8, "surface a distance" should be -- surface being spaced a distance --.

In the proposed amendment of claim 32 the Examiner believes that "aligned off center a" is unclear and would be better written as -- aligned off center from a -- (this occurs twice, in lines 4 and 7). This applies also to both similar instances in claim 46.

With regard to Loubinoux et al, the Examiner would like to make the following observations noting first off that such relates to the amendments if they were entered. The Examiner notes that the "self propelled" limitations added to claim 30 overcome Loubinoux. This limitation was not added to claims 32, 33 and 46 and thus the claims would remain rejected.

With regard to Frickert, the Examiner notes that the discussion during the interview applied to the lack of substantial space between the two rollers labelel #22 that exist in stage 1. Closer review of the rejection of 5/24/06 notes that the first roller is roller #22 of stage 1 and the second roller is a similar roller in stage 2. In this case, the spacing as claimed is taught by Frickert.

With regard to Nishino et al the Examiner notes that (with regard to the amendments if they were entered) the rejection of claims 30, 32, 33 and 46 would be overcome.

JOSEPH S. DEL SOLE PRIMARY EXAMINER